

Senate Engrossed House Bill

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

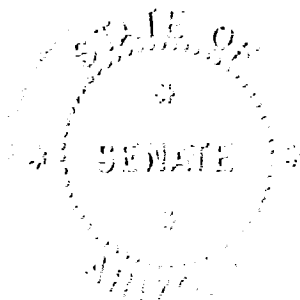
CHAPTER 167

# HOUSE BILL 2626

AN ACT

AMENDING SECTIONS 11-269.03 AND 28-334, ARIZONA REVISED STATUTES; RELATING  
TO TRANSPORTATION AGREEMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-269.03, Arizona Revised Statutes, is amended to  
3 read:

4 11-269.03. Acceleration agreements; loan repayment agreements

5 A. A COUNTY MAY ENTER INTO AGREEMENTS WITH THE DEPARTMENT OF  
6 TRANSPORTATION FOR THE ACCELERATION OF RIGHT-OF-WAY ACQUISITION, DESIGN OR  
7 CONSTRUCTION OF AN ELIGIBLE PROJECT AS DEFINED IN SECTION 28-7671 AND MAY  
8 ADVANCE MONIES TO THE DEPARTMENT OF TRANSPORTATION PURSUANT TO THOSE  
9 AGREEMENTS. ANY POLITICAL SUBDIVISION MAY PLEDGE EXCISE TAXES TO THE  
10 REPAYMENT OF ALL OR ANY PART OF THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST  
11 ON ANY BORROWING TO FUND THE ADVANCE.

12 B. A COUNTY MAY ASSIGN THE RIGHT TO RECEIVE PAYMENT UNDER THE  
13 AGREEMENT ENTERED INTO PURSUANT TO SUBSECTION A OF THIS SECTION TO A TRUSTEE.

14 C. A COUNTY MAY PLEDGE ITS EXCISE TAXES TO THE REPAYMENT OF ALL OR ANY  
15 PART OF THE PRINCIPAL, PREMIUM, IF ANY, AND INTEREST ON ANY BORROWING TO FUND  
16 THE ADVANCE AND MAKE SUCH OTHER COVENANTS AND AGREEMENTS AS MAY BE  
17 APPROPRIATE.

18 D. A loan repayment agreement as defined in section 28-7671 entered  
19 into by a county may be paid from and may be secured by a pledge of highway  
20 user revenues received by the county from this state pursuant to title 28,  
21 chapter 18, article 2 and section 42-6107. The pledge may be on a parity  
22 with any pledge previously or hereafter made by the county pursuant to  
23 section 11-379. If a county pledges those highway user revenues to a loan  
24 repayment agreement, the principal and interest requirements on the loan  
25 repayment agreement may be treated as if they were principal and interest on  
26 bonds issued under article 12 of this chapter for all purposes of sections  
27 11-378 and 11-380.

28 Sec. 2. Section 28-334, Arizona Revised Statutes, is amended to read:

29 28-334. Acceptance and expenditure of federal monies;  
30 limitations

31 A. The department may accept and expend grants, donations, aid or  
32 other monies received from the federal government or any agency of the  
33 federal government for any transportation purpose.

34 B. The department may contract and do all things necessary to secure  
35 the full benefits available to this state for transportation purposes under  
36 federal law and, in doing so, may cooperate with federal, state and local  
37 government agencies, indian tribes, private and public organizations and  
38 private individuals. THE DEPARTMENT MAY EXCHANGE FEDERAL FUNDS WITH LOCAL  
39 GOVERNMENTS IN ORDER TO RECEIVE LOCAL FUNDS AND MAY INCLUDE ADDITIONAL  
40 FEDERAL FUNDS IN THE EXCHANGE TO OFFSET MATCHING COSTS REQUIRED OF LOCAL  
41 GOVERNMENTS.

1 C. This chapter shall not be construed to affect the authority of  
2 other agencies or boards of this state or political subdivisions from  
3 accepting, receiving or expending grants or other monies from the federal  
4 government or any agency of the federal government for transportation  
5 purposes pursuant to other provisions of law or charter.

6 Sec. 3. Emergency

7 This act is an emergency measure that is necessary to preserve the  
8 public peace, health or safety and is operative immediately as provided by  
9 law.

APPROVED BY THE GOVERNOR APRIL 26, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2004.



Passed the House March 2, 2004,

Passed the Senate April 7, 2004,

by the following vote: 59 Ayes,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

0 Nays, 1 Not Voting

Jake Flake  
Speaker of the House

Ken Blumenthal  
President of the Senate

Norman L. Moore  
Chief Clerk of the House

Channing Billington  
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2626

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 20, 2004,

by the following vote: 55 Ayes,

0 Nays, 5 Not Voting  
With Emergency

Norman L. Syron  
Speaker of the House  
Pro Tempore  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20th day of April, 2004,

at 12:23 o'clock P. M.

Jennifer Ybarra  
Secretary to the Governor

Approved this 26 day of

April, 2004,

at 9:00 o'clock A. M.

Jt. Agullo  
Governor of Arizona

H.B. 2626

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24 day of April, 2004,

at 12:34 o'clock P. M.

Janice K. Brewer  
Secretary of State